

This Instrument Prepared By:

William H. Luck
 Attorney at Law
 2700 Sterick Building
 8 North Third Street
 Memphis, Tennessee 38103
 Tel: (901) 753-4372

May 31 9 16 AM '95

INDEXING INSTRUCTIONS:

5.4775 Acres in S15, T1S, R8W
 SE 1/4

STATES OF MISSISSIPPI

May 25 2 49 PM '95

PARTITION DEED

THIS INDENTURE made and entered into this 24 day of November, 1988, by and between Curtis G. Davis, hereinafter known as Party of the First Part, W. Kimbrough Boren and Lucy B. Wunderlich, hereinafter known as Parties of the Second Part and Patricia H. Boren and Raymond C. Wunderlich, hereinafter known as Parties of the Third Part.

WHEREAS the first and second parties are the owners in fee simple of land in DeSoto County, Mississippi, and Shelby County, Tennessee, which is more particularly described in Exhibits "A" and "B" attached hereto; and

WHEREAS parties derived the ownership by being beneficiaries under the last will and testament of Corrine Doddridge Haney, whose will was probated in cause no. B10171 Probate Court of Shelby County, Tennessee, which will was dated and executed July 26, 1982; and

WHEREAS the parties are aware of a writing in the handwriting of Eliza Corrine Doddridge Haney, dated April 20, 1983, which effectively will cause a partition of one acre of land to Richard D. Boren and would cause an undivided interest to be left to his brother Robert Boren and sister H. Patricia Boren and to Raymond C. Wunderlich, Jr., and to Lucy W. Weston, nephews and nieces of Corrine Doddridge Haney; and

WHEREAS first and second parties do recognize and will urge the court to make the bequest that will effectively remove five acres of land from that property described in Exhibits "A" and "B" so that the total acreage will be reduced for the purposes of this partition from 26.91 acres to 21.43 acres; and

WHEREAS the nephews and nieces other than Richard desire that their one acre inheritance be an undivided interest in the land and all parties agree that the partition will if approved by the court will allow one acre including the home of Corrine Doddridge Haney will be partitioned in kind; and

WHEREAS first and second parties mutually agree that first party will have his one-fourth interest partitioned in kind and second parties will then have the undivided interest in the property on Exhibits "A" and "B" to be held by them equally as an undivided interest in the property and ultimately will be an undivided interest with their children other than Richard to whom there is anticipated a partition of his one acre in kind but notwithstanding whether or not the court approves this partition first and second parties do desire and by this document they do partition in kind the property so that first party will receive the southernmost part of the land described in Exhibits "A" and "B" and is designated on the description and on the plat as Exhibit A1 and B1 and the second parties will then own the portion designated as A2 and B2 on the attached exhibits and that first party does have an easement for ingress and egress over that portion described in A2 and B2 said easement to be of the width necessary to accommodate the use of the land described in A1 and B1 and if it cannot be designated by agreement then first party will be entitled to stake out the easement to be no greater than 80 feet wide and to not interfere with any improvements or any plat for improvements recorded on the portions known as A2 and B2.

WHEREFORE second parties hereby bargain, sell, remise, release, quit claim and convey unto first party all of their interest in the property designated as A1 and B1 on the attached Exhibits "A" and "B". First party does bargain, sell, release, remise, quit claim and convey unto second parties all of his interest in the property designated as A2 and B2 so that effectively after this conveyance all of first party's property will be the southernmost portion of the property, all of which is located in DeSoto County of the State of Mississippi. Second parties will have all of that property which is located in Shelby County, Tennessee. Third parties hereby join in for the sole purpose of conveying any marital interest that they may have but not further or otherwise.

WITNESS the signatures of the parties this 24 day of November, 1988.

Curtis G. Davis
CURTIS G. DAVIS, First Party

W. Kimbrough Boren
W. KIMBROUGH BOREN, Second Party

Lucy B. Wunderlich
LUCY B. WUNDERLICH, Second Party

Patricia H. Boren
PATRICIA H. BOREN, Third Party

Raymond C. Wunderlich
RAYMOND C. WUNDERLICH, Third Party

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Curtis G. Davis, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

WITNESS my hand and Notarial Seal at office this 24 day of

November, 1988.

[Signature]
Notary Public

My Commission Expires:

Sept. 1, 1991

STATE OF TENNESSEE
COUNTY OF SHELBY

Personally appeared before me, the undersigned Notary Public, in and for the State and County aforesaid, the within named Curtis G. Davis, who acknowledged that he signed and delivered the foregoing instrument on the day and year therein mentioned as his voluntary act and deed.

Given under my hand and seal this 21st day of
November, 1988.

[Signature]
 Notary Public

My Commission Expires:

Sept 1, 1991

STATE OF TENNESSEE
 COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared W. Kimbrough Boren, Lucy B. Wunderlich, Patricia H. Boren and Raymond C. Wunderlich, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

WITNESS my hand and Notarial Seal at office this 24 day of
November, 1988.

[Signature]
 Notary Public

My Commission Expires:

Sept 1, 1991

STATE OF TENNESSEE
 COUNTY OF SHELBY

Personally appeared before me, the undersigned Notary Public, in and for the State and County aforesaid, the within named W. Kimbrough Boren, Lucy B. Wunderlich, Patricia H. Boren and Raymond C. Wunderlich,, who acknowledged that they signed and delivered the foregoing instrument on the day and year therein mentioned as their voluntary act and deed.

Given under my hand and seal this 24 day of
November, 1988.

[Signature]
 Notary Public

My Commission Expires:

Sept 1, 1991

Address:

Lucy Boren Wunderlich
 996 Scaife Road
 Memphis, TN 38116
 Tele: 901/398-3346 (Res.)
 No business number

Address:

W. Kimbrough Boren
 1025 Scaife Road
 Memphis, TN 38116
 Tele: 901/398-3306 (Res.)
 No business number

November 23, 1988

DESCRIPTION-- EXHIBIT A. (in Tennessee and Mississippi)

Beginning at a point in the south line of Scaife Road (40 feet wide) with the east line of the Illinois-Central Railroad right-of-way (100 feet wide); thence N 86°01' E, along the south line of Scaife Road, a distance of 560.9 feet to a point; thence N 85°31' E a distance of 35.7 feet to the northwest corner of the Boren property; thence S 0°37' E, along the west line of the Boren property, a distance of 345.00 feet to the southwest corner of said property; thence N 85°31' E, along the south line of said Boren Property, a distance of 200.5 feet to Boren's southeast corner; thence N 0°37' W, along the east line of the Boren property, a distance of 345.0 feet to a point in the south line of Scaife Road; thence thence N 85°31' E, along the south line of Scaife Road, a distance of 25.0 feet to the northwest corner of the Harraway property; thence S 0°37' E, along the west line of the Harraway property, a distance of 617.4 feet to a point; thence N 85°31' E, along Harraway's south line, a distance of 350.00 feet to a point; thence S 0°37' E a distance of 919.6 feet to the northeast corner of the Henry Hotter property; thence S 89°45' W, along the north line of the Henry Hotter property, a distance of 768.9 feet to a point in the east line of the Illinois Central Railroad right-of-way, said point being 655.4 feet northward, as measured along said right-of-way line, from the south line of Section 15; thence N 16°00' W, along the east line of said right-of-way, a distance of 1512.0 feet to the point of beginning, containing an area of 26.91 acres.

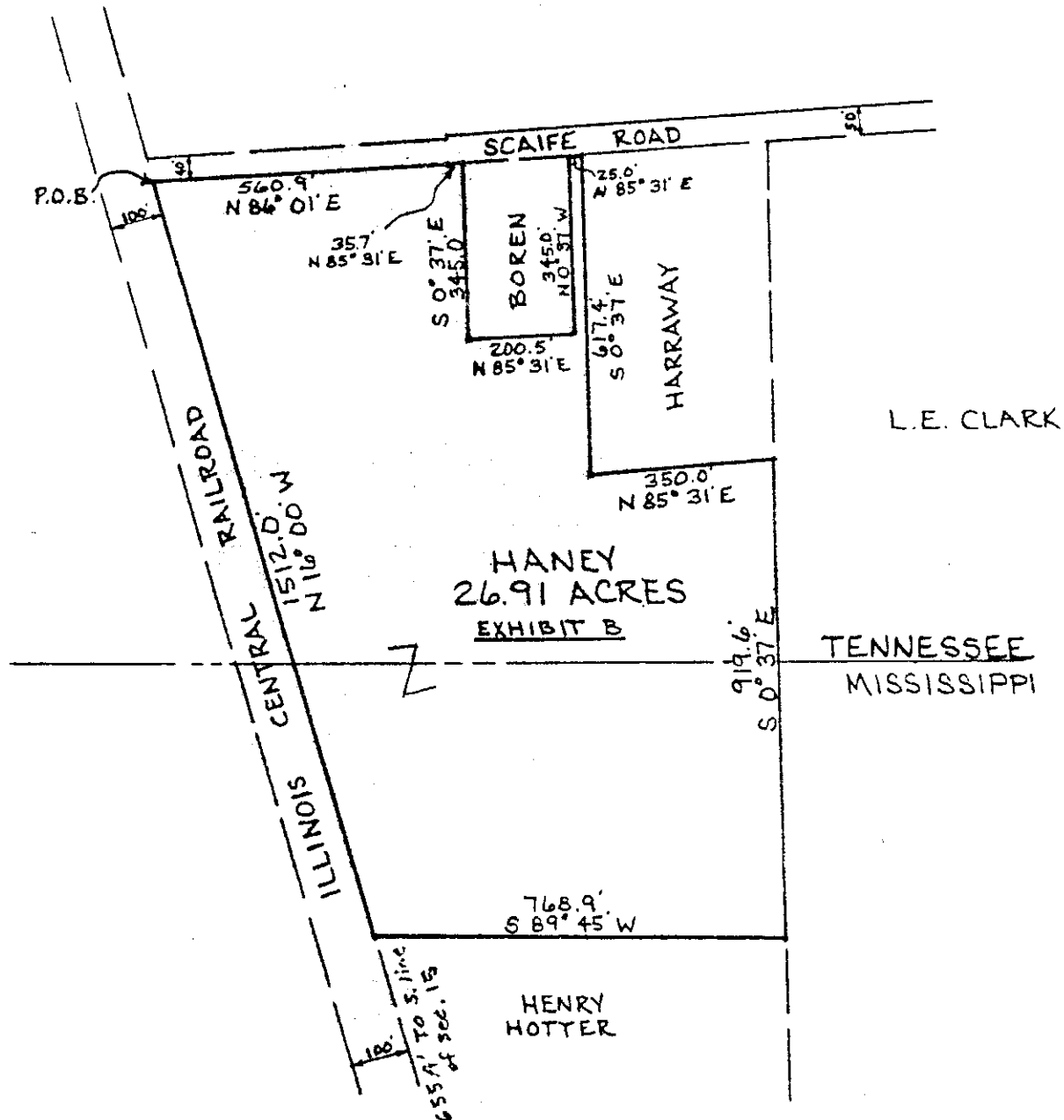


EXHIBIT B-

PLAT OF THE HANEY 26.91 ACRES IN SECTION 15, TOWNSHIP 1-S, RANGE 8-W DESOTO COUNTY, MISSISSIPPI AND MEMPHIS, SHELBY COUNTY, TENNESSEE

DATE: NOVEMBER 23, 1988

SCALE: 1" = 300'

**RICHARDSON
ENGINEERING
COMPANY**

1503 Union Avenue, Suite 204

Memphis, Tennessee, 38104

Phone: 901-274-3448

Engineers

Planners

Surveyors

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ENGINEERING
COMPANY**1503 Union Avenue, Suite 204
Memphis, Tennessee, 38104
Phone: 901-274-3448HEBER H. CARTER, JR., P. E. & R.L.S.
PrincipalEngineersPlannersSurveyors

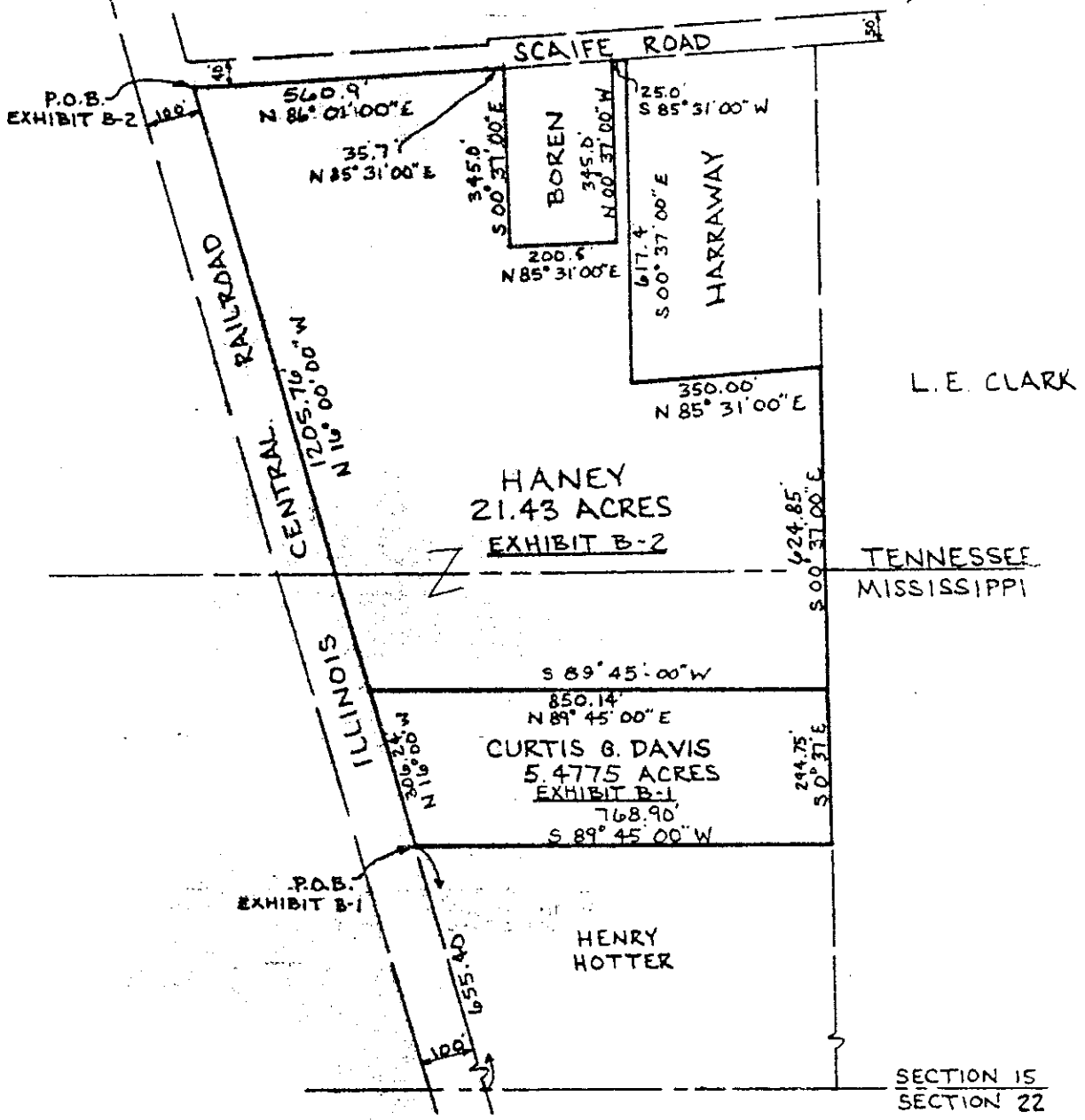
November 23, 1988

EXHIBIT A1 (in Mississippi only)

DESCRIPTION- The South 5.4775 acres of the "Haney 26.91 acres"
in S15.T1,R8W in DeSoto County, Mississippi, to-wit:

Beginning at a point in the East right-of-way line of the Illinois Central Railroad (100 feet wide) a distance of 655.40 feet northward, as measured along said right-of-way line, from the south line of Section 15; thence N 16°00'00" W, along said right-of-way line, a distance of 306.24 feet to a point; thence N 89°45'00" E a distance of 850.14 feet to a point; thence S 0°37'00" E a distance of 294.75 feet to the northeast corner of the Henry Hotter property; thence S 89°45'00" W, along the north line of said Hotter property, a distance of 768.90 feet to the point of beginning, containing an area of 5.4775 acres in the Southeast Quarter of said section.

T1R8-9C



EXHIBITS B-1 AND B-2

PLAT OF THE CURTIS G. DAVIS 5.4775 ACRES IN SECTION 15, TOWNSHIP 1-S, RANGE 8-W, DESOTO COUNTY, MISSISSIPPI AND THE HANEY 21.43 ACRES IN MEMPHIS, SHELBY COUNTY, TENNESSEE

DATE: NOVEMBER 23, 1988
SCALE: 1" = 300'

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Phone: 901-274-3448HERBERT H. CARTER, JR., P. E. & R.L.S.
PrincipalEngineers ✦ Planners ✦ Surveyors

November 23, 1988

DESCRIPTION-- EXHIBIT A2 (in Tennessee and Mississippi)

Beginning at a point in the south line of Scaife Road (40 feet wide) with the east line of the Illinois-Central Railroad right-of-way (100 feet wide); thence N 86°01' E, along the south line of Scaife Road, a distance of 560.9 feet to a point; thence N 85°31' E a distance of 35.7 feet to the northwest corner of the Boren property; thence S 0°37' E, along the west line of the Boren property, a distance of 345.00 feet to the southwest corner of said property; thence N 85°31' E, along the south line of said Boren Property, a distance of 200.5 feet to Boren's southeast corner; thence N 0°37' W, along the east line of the Boren property, a distance of 345.0 feet to a point in the south line of Scaife Road; thence thence N 85°31' E, along the south line of Scaife Road, a distance of 25.0 feet to the northwest corner of the Harraway property; thence S 0°37' E, along the west line of the Harraway property, a distance of 617.4 feet to a point; thence N 85°31' E, along Harraway's south line, a distance of 350.00 feet to a point; thence S 0°37' E a distance of 624.85 feet to a point; thence S 89°45' W a distance of 850.14 feet to a point in the east line of the Illinois Central Railroad right-of-way; thence N 16°00' W, along said right-of-way line, a distance of 1205.76 feet to the point of beginning, containing an area of 21.43 acres, the DeSoto County, Mississippi, part of the foregoing property lying and being situated in the Southeast Quarter of Section 15, Township 1, Range 8 West.